

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE - COLUMBIA DIVISION

KAREN MCNEIL, LESLEY JOHNSON,)	
TANYA MITCHELL, INDYA HILFORT,)	
and LUCINDA BRANDON,)	
On behalf of themselves and all others)	CASE NO.: 1:18-cv-00033
similarly situated,)	
)	JUDGES CAMPBELL/FRENSLEY
Plaintiffs)	
)	JURY DEMAND
VERSUS)	
)	
COMMUNITY PROBATION SERVICES,)	
LLC; et al,)	
)	
Defendants)	

MOTION FOR THREE DAY EXTENSION OF TIME
AND LEAVE FOR ADDITIONAL PAGES FOR REPLY

Come now the Defendants, Community Probation Services, LLC and Patricia McNair (and the other misnamed CPS Defendants) and move the Court to extend the deadline three days to August 7, 2020 for filing their replies to the Plaintiffs' 55+ page Response to these Defendants' 12(b)(6) Motion to Dismiss (Docket No. 387) and their 30+ page response to the 12(b)(1) Motion concerning mootness (Docket No. 389). In support of this Motion, these Defendants would state that these Defendants complied with the Court's ordinary page limits when filing their motion and supporting materials, but Plaintiffs obtained leave for a 55 page response to the 12(b)(6) motion and 30 page response to the 12(b)(1) motion, plus Plaintiffs incorporated significant sections by reference to yet another 55 page brief, for all of which these Defendants would ordinarily have only 5 days to reply. Counsel for these Defendants had depositions and a trial

during this short intervening period and requests a three-day extension through and including Friday, August 7, 2020 to file their replies.

In addition, these Defendants request leave to file additional pages, up to 20 pages in reply to the Plaintiffs' 55+ page response to the 12(b)(6) motion, and up to 10 pages to reply to the Plaintiffs' 30 page response to the 12(b)(1) motion. Plaintiffs have raised new arguments concerning waiver that were not addressed at all in the original motions, and Defendants need the additional pages to adequately respond to these arguments and reply to Plaintiffs' arguments concerning the substance of the case. Even combined with the original memoranda, these Defendants' total page count will be far fewer than Plaintiffs' responses.

The Court is obviously well aware that this is a very complicated case with numerous legal claims and these motions have important implications for the scope of this entire matter and the effect of the Court's rulings.

Because these Defendants have tried to file this motion well in advance of the deadline, consistent with these Defendants' understanding of the Court's local rules and preferences, these Defendants have not had an opportunity to ask Plaintiff's consent for this motion. But this very brief three day extension and additional page limitation will not prejudice Plaintiffs.

Respectfully submitted,

MOORE, RADER,
FITZPATRICK AND YORK, P. C.

By /s/ Daniel H. Rader IV, BPR 025998

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on August 2, 2020, a true and exact copy of the foregoing pleading was filed electronically. Notice of this filing was sent by operation of the Courts electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access the filing through the Court's electronic filing system.

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with sufficient postage thereupon to carry same to its destinations.

This the 2nd day of August, 2020.

MOORE, RADER,
FITZPATRICK AND YORK, P. C.

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